

Appl. No. 10/705,567
Atty. Docket No. CM2691M
Amdt. dated October 30, 2006
Reply to Office Action of July 28, 2006
Customer No. 27752

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REMARKS

Claim Status

Claims 1-8, 11-17 and 24 are pending in the present application. No additional claims fee is believed to be due.

Claims 9-10, 18-23 and 25-33 are cancelled without prejudice.

Claims 1, 17 and 24 have been amended to more specifically characterize the free water content of the claimed cleaning composition. Support for this amendment is found in original Claim 9.

It is believed these changes do not involve any introduction of new matter. Consequently, entry of these changes is believed to be in order and is respectfully requested.

Applicants thank the Examiner for the withdrawal of the rejection of Claims 28-29 (now canceled) under 35 U.S.C. § 112, second paragraph and the rejection under 35 U.S.C. §102(b) of Claims 1-6, 9-10, 13, 15-16, 30 and 33 over Hanaoka et al., Claims 7-8, 11-12, 14, 17-18, 21-25, 28-29, 31-32 and 35 under 35 U.S.C. §103(a) over Hanaoka et al..

Rejection Under 35 USC §103(a) Over US 6,617,294 (Narula et al.)

Claims 1, 2, 4-6, 9, 10 and 13-16 have been rejected under 35 USC §103(a) as being unpatentable over Narula et al.. Applicants submit that Hanaoka does not establish a *prima facie* case of obviousness because it does not teach or suggest all of the claim limitations of Claims 1, 2, 4-6, 9, 10 and 13-16 as amended. Specifically, the specification that the water-transfer agent is selected from the group consisting of inorganic oxides and salts and, therefore, does not establish a *prima facie* case of obviousness (see MPEP 2143.03). Therefore, the claimed invention is unobvious and that the rejection should be withdrawn.

Applicants further state that the statement that it would have been obvious to one of skill in the art to apply a cleanser to a wipe in a uniform manner or in stripe pattern because it is an "obvious design choice" is completely unsupported by the teaching or discussions in Narula et al.. Ordinarily, under MPEP 2144.03, there must be some form

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of evidence in the record to support an assertion of common knowledge. See *In re Lee*, 277 F.3d 1338 at 1344-45, 61 USPQ2d 1430 at 1434-35 (Fed. Cir. 2002); *Zurko*, 258 F.3d 1379 at 1386, 59 USPQ2d 1693 at 1697 (holding that general conclusions concerning what is "basic knowledge" or "common sense" to one of ordinary skill in the art without specific factual findings and some concrete evidence in the record to support these findings will not support an obviousness rejection).

Rejection Under 35 USC §103(a) Over Narula et al. in view of US 6,013,616 (Fabry et al.)

Claims 3, 7-8 and 17 have been rejected under 35 USC §103(a) as being unpatentable over Narula et al. in view of Fabry et al.. Applicants submit that Narula et al. in view of Fabry et al. does not establish a *prima facie* case of obviousness because it does not teach or suggest all of the claim limitations of Claims 3, 7-8 and 17. Specifically, the specification that the water-transfer agent is selected from the group consisting of inorganic oxides and salts and, therefore, does not establish a *prima facie* case of obviousness (see MPEP 2143.03). Therefore, the claimed invention is unobvious and that the rejection should be withdrawn.

Rejection Under 35 USC §103(a) Over Narula et al.
in view of US 6,190,674 (Beerse et al.)

Claims 11-12 have been rejected under 35 USC §103(a) as being unpatentable over Narula et al. in view of Beerse et al.. Applicants submit that Narula et al. in view of Beerse et al. does not establish a *prima facie* case of obviousness because it does not teach or suggest all of the claim limitations of Claims 11-12. Specifically, the specification that the water-transfer agent is selected from the group consisting of inorganic oxides and salts and, therefore, does not establish a *prima facie* case of obviousness (see MPEP 2143.03).. Therefore, the claimed invention is unobvious and that the rejection should be withdrawn.

Rejection Under 35 USC §103(a) Over Narula et al.
in view of US 6,720,301 (Gorlin et al.)

Claim 24 has been rejected under 35 USC §103(a) as being unpatentable over Narula et al. in view of Gorlin et al.. Applicants would like to draw the Examiner's

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attention to the publication date of Gorlin et al. ~ April 13, 2004. This publication date is after the filing date of the present application of November 10, 2003, and therefore does not qualify as a reference under 35 U.S.C. §103. As such, the rejection of Claim 24 over Narula et al. in view of Gorlin et al. should be withdrawn.

Conclusion

In light of the above remarks, it is requested that the Examiner reconsider and withdraw the rejection under 35 U.S.C. § 103. Early and favorable action in the case is respectfully requested. Applicants' attorney invites the Examiner to contact her with any questions the Examiner may have regarding the above referenced case.

This response represents an earnest effort to place the application in proper form and to distinguish the invention as now claimed from the applied references. In view of the foregoing, reconsideration of this application, entry of the amendments presented herein, and allowance of Claims 1-17 and 24 is respectfully requested.

Respectfully submitted,

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By

Signature

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